

SENATE RECORD VOTE ANALYSIS

106th Congress
1st Session

Vote No. 35

March 9, 1999, 2:49 p.m.
Page S-2464 Temp. Record

EDUCATION MANDATE WAIVERS/Cloture, Committee Substitute (2nd Attempt)

SUBJECT: Education Flexibility Partnership Act . . . S. 280. Lott motion to close debate on the committee substitute amendment No. 31.

ACTION: CLOTURE MOTION REJECTED, 55-39

SYNOPSIS: As reported, S. 280, the Education Flexibility Partnership Act, will expand eligibility for participation in the Education Flexibility (Ed-Flex) Program to all 50 States (currently only 12 States are eligible). Under the program, an eligible State may request that the Department of Education give it the right to grant to local education agencies waivers of certain Federal education regulatory and statutory requirements. A State that gives a waiver to a local education agency also must waive its own similar statutory and regulatory education requirements. Certain Federal regulatory and statutory requirements, including requirements relating to health and safety and civil rights, may not be waived. (Federal education funding provides between 6 percent and 7 percent of total public school funding, a third of which is for nutrition rather than education programs. The Federal Government closely controls how the funds it gives are spent, which hampers local innovation. Also, the 4 percent of funding that it gives is responsible for more than 50 percent of the administrative work in many school districts, due to the extensive paperwork requirements that come with Federal assistance.)

The committee substitute amendment would add public notice provisions, strengthen accountability provisions, and make technical corrections as agreed to by the managers.

On March 5, 1999, Senator Lott sent to the desk, for himself and others, a motion to close debate on the committee substitute amendment.

NOTE: A three-fifths majority (60) vote is required to invoke cloture. This vote was the first of two attempts to close debate on the committee substitute amendment (see vote No. 35).

The following items were pending at the time of the vote:

- a Bingaman amendment, as amended (see vote No. 31) to the committee substitute amendment; as amended, it would increase

(See other side)

YEAS (55)		NAYS (39)		NOT VOTING (6)	
Republicans (55 or 100%)	Democrats (0 or 0%)	Republicans (0 or 0%)	Democrats (39 or 100%)	Republicans (0)	Democrats (6)
Abraham	Hutchinson		Akaka	Johnson	
Allard	Hutchison		Baucus	Kennedy	
Ashcroft	Inhofe		Bayh	Kerrey	
Bennett	Jeffords		Bingaman	Kerry	
Bond	Kyl		Boxer	Kohl	
Brownback	Lott		Breaux	Landrieu	
Bunning	Lugar		Bryan	Lautenberg	
Burns	Mack		Byrd	Leahy	
Campbell	McCain		Cleland	Levin	
Chafee	McConnell		Conrad	Lieberman	
Cochran	Murkowski		Daschle	Lincoln	
Collins	Nickles		Dodd	Mikulski	
Coverdell	Roberts		Dorgan	Moynihan	
Craig	Roth		Durbin	Reid	
Crapo	Santorum		Edwards	Robb	
DeWine	Sessions		Feingold	EXPLANATION OF ABSENCE: 1—Official Business 2—Necessarily Absent 3—Illness 4—Other	
Domenici	Shelby		Feinstein		
Enzi	Smith, Bob		Harkin		
Fitzgerald	Smith, Gordon		Hollings		
Frist	Snowe		Inouye		
Gorton	Specter			SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	
Gramm	Stevens				
Grams	Thomas				
Grassley	Thompson				
Gregg	Thurmond				
Hagel	Voinovich				
Hatch	Warner				
Helms					

Compiled and written by the staff of the Republican Policy Committee—Larry E. Craig, Chairman

the authorization for the Individuals with Disabilities Education Act (IDEA) by \$150 million; prior to being amended, it would have created a new Federal school dropout prevention program;

- a modified Lott second-degree substitute amendment to the Bingaman amendment; the Lott amendment would allow local educational agencies to use any Federal funds for hiring teachers that they receive from last year's \$500 billion omnibus appropriations bill either to hire new teachers or to pay for IDEA activities (an appropriation of \$1.2 billion for hiring public school teachers was added to last year's \$500 billion omnibus spending bill during last-minute, closed-door negotiations; see 105th Congress, 2nd session, vote No. 314); the Senate subsequently voted on a cloture motion on the Lott amendment (see vote No. 37);

- an Allard/Gramm amendment to the language proposed to be stricken by the committee substitute amendment; the Allard/Gramm amendment would ban the promulgation of certain proposed, intrusive banking regulations (see vote No. 33);

- a Jeffords substitute amendment to the Allard/Gramm amendment; the Jeffords amendment would direct local educational agencies to spend on IDEA activities any Federal funds for hiring teachers that they receive from last year's \$500 billion omnibus appropriations bill;

- a Kennedy/Daschle motion to recommit with instructions to report back forthwith with the addition of the Kennedy/Murray amendment; that amendment would authorize an additional \$11.435 billion over fiscal years 2000-2005 for a new Federal program to hire public school teachers (the Senate later rejected a motion to invoke cloture on the Kennedy/Daschle motion; see vote No. 36);

- a Lott substitute amendment to the instructions of the Kennedy/Daschle motion; the Lott amendment would allow local educational agencies to use any Federal funds for hiring teachers that they receive from last year's \$500 billion omnibus appropriations bill either to hire new teachers or to pay for IDEA activities; and

- a Lott perfecting amendment to the Lott amendment to the Kennedy/Daschle motion; the Lott perfecting amendment would have the same substantive effect as the underlying amendment.

NOTE: For debate, see vote No. 34.